

# DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

## AMENDED PROPOSED TEXT

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 6.5  
AMEND ARTICLE 1, SECTION 1200

AND

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 6.5  
AMEND ARTICLE 7.5, SECTION 1239

## COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD OUT-OF-SERVICE CRITERIA (CHP-R-11-08)

*Existing Text:* .....Times New Roman 12 point font.  
*Additions:*.....Times New Roman 12 point font with single underline.  
*Additions to Initial Proposed Text:*.....Times New Roman 12 point font with double underline.  
*Deletions:*.....~~Times New Roman 12 point font with strikethrough.~~  
*Deletions from Initial Proposed Text:*..~~Times New Roman 12 point font with double  
strikethrough.~~

### TITLE 13, CALIFORNIA CODE OF REGULATIONS DIVISION 2, CHAPTER 6.5 ARTICLE 1, SECTION 1200 IS AMENDED TO READ:

#### **§ 1200. Scope.**

(a) ***Applicability.*** Unless otherwise indicated within a specific section, the provisions of this chapter shall apply to vehicles listed in Vehicle Code Sections 545(k), 34500 and 34500.1 and their operation.

#### (b) ***Limited Application.***

(1) Two-axle motor trucks with a gross vehicle weight rating of 26,000 pounds or less transporting hazardous materials in quantities for which placards are required pursuant to Vehicle Code Section 27903 shall be subject to the following Sections of this chapter: 1212, 1212.5, 1213, 1213.1, 1214, 1215, 1229, 1230, 1232, 1234, 1239, and 1256.

(2) Two-axle motor trucks with a gross vehicle weight rating of 26,000 pounds or less transporting hazardous materials in quantities for which placards are not required shall be subject to the following Sections of this chapter: 1212, 1212.5, 1214, 1215 (except 1215(b)), 1229, 1230, and 1232. Two-axle motortrucks transporting hazardous materials for which a license is required by Vehicle Code Section 32000.5 shall also be subject to Sections 1256 and 1239.

(3) Section 1213.1 Subsections (c) through (f), shall apply to drivers of commercial motor vehicles as defined in Vehicle Code Section 15210.

(4) Two-axle motor trucks described in subdivision (j) of Vehicle Code Section 34500 shall be subject only to Sections 1212, 1212.5, 1213, and 1239 (but only for matters relating to hours of service and logbooks of drivers) of this chapter.

(5) Persons operating vehicles which cause those persons to be subject to the Motor Carriers of Property Act as described in Division 14.85 of the Vehicle Code, but which vehicles are not included in Vehicle Code Section 34500, unless otherwise specified, shall be subject to Articles 6.5 and 7.5 of this chapter.

**(c) *Exceptions.***

This chapter shall not apply to vehicles used primarily off the highway and not required to be registered pursuant to Vehicle Code Section 4000(a).

Note: Authority cited: Sections 2402, 31401, 34501, 34501.2, 34501.5, 34508, and 34513 Vehicle Code; and Section 39831, Education Code. Reference: Sections 545, 31401, 34500, 34500.1, 34501, 34501.2, 34501.5, 34508, and 34623 Vehicle Code; and Section 39831, Education Code.

**TITLE 13, CALIFORNIA CODE OF REGULATIONS**  
**DIVISION 2, CHAPTER 6.5**  
**ARTICLE 7.5, SECTION 1239 IS AMENDED TO READ:**

**§1239. Commercial Vehicle Safety Alliance North American Standard Out-of-Service-Criteria.**

(a) ***Applicability.*** This article shall apply to those vehicles described in Sections 34500 ~~and Division 14.85~~ of the California Vehicle Code (CVC).

(b) ***Incorporation by Reference.*** This article incorporates by reference portions of the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria including Part I (with the exception of those items related to communication, and Skill Performance Evaluation Certificate), Part II, Part III, and Part IV. All references to the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria in this article are those criteria published on April 1, 2010 1.

(c) ***Availability of Referenced Criteria.*** Copies of the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria can be obtained from:

Commercial Vehicle Safety Alliance

~~1101 17<sup>th</sup> Street, NW, Suite 803~~ 6303 Ivy Lane Suite 310

~~Washington, DC 20036.~~ Greenbelt, MD. 20770.

Phone: 301-830-6143 Fax: 301-830-6144

Note: Authority cited: Sections 2402, 2410, 31401, and 34501 CVC.

Reference: Sections 260, 322, 2402, 2410, 2804, 12500, 12502, 12515(b), 14603, 15210, 15250, 15275, 15278, 23152, 24002, 24004, 24400, 24252, 24600, 24603, 24604, 24952, 27154, 27155, 27465, 27501, 27903, 29001, 29002, 29003, 29004, 31401, 34500, 34501, 34506, 34510, and 34520 CVC.